

REMARKS

In accordance with the foregoing, claims 1-13 are amended without narrowing the claims within the meaning of *Festo Corp. v. Shoketsu Kinzoku Kogyo Kabushiki Co.*, 56 USPQ2d 1865 (Fed. Cir. 2000). No new matter is being presented, and approval and entry of the amended claims are respectfully requested.

Claims 1-25 are pending and reconsideration is requested. All rejections are traversed.

Entry of Amendment Under 37 C.F.R. §1.116

Claims 1-13 are amended herein to replace the term "HP" with --hyperlink--.

Applicants request entry of this Rule 116 Response because it is believed that the amendment of claims 1-13 puts this application into condition for allowance, and the amendments of claims 1-13 should not entail any further search by the Examiner since no new features are being added or no new issues are being raised;

In a telephone discussion between the Examiner and the Applicants' representative conducted on January 14, 2005, the Examiner indicated that such an amendment would be entered without requiring further search.

Items 2-3: Rejection Of Claims 1-13 under 35 U.S.C. §112, first paragraph

The Examiner rejects claims 1-13 under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement contending that the term "HP title" is not disclosed in the specification.

Claims 1-13 are amended herein to replace the term "HP" with --hyperlink--. (See, for example, page 12 lines 2-5 of the specification that discuss "headline information of the browsable information is a title of a hyperlink.")

Applicants submit that claims 1-13, all as amended, comply with 35 U.S.C. §112, first paragraph and withdrawal of the rejection is requested.

Item 5: Rejection of Claims 14-16, 18-20, and 22-24 Under 35 U.S.C. §102(e) As Being Anticipated By Otobe (U.S. Pub. No. 2004/0010599)

Item 7: Rejection of Claims 1-2 and 4-13 Under 35 U.S.C. §103(a) As Being Unpatentable Over Otobe In View Of Iwayama et al. (U.S. Pub. 2002/0120503).

Item 8: Rejection of Claims 3, 17, 21, and 25 Under 35 U.S.C. §103(a) As Being Unpatentable Over Otobe In View Of Buckland

The Examiner rejects claims 14-16, 18-20, and 22-24 under 35 U.S.C. §102(e) as being anticipated by Otobe, rejects claims 1-2 and 4-13 under 35 U.S.C. §103(a) as being unpatentable over Otobe in view of Iwayama, and rejects claims 3, 17, 21, and 25 under 35

U.S.C. §103(a) as being unpatentable over Otobe in view of Buckland.

The present application has a U.S. filing date of December 27, 2001.

Otobe has an earliest English language publication date of January 15, 2004. While Otobe was filed as PCT/JP01/08205, the PCT publication of Otobe was only in the Japanese language.

As set forth in MPEP 2136.03 entitled Critical Reference Date, an application must have "been published in English under PCT Article 21(2) for the earlier international filing date to be a U.S. filing date for prior art purposes." Accordingly, Applicants respectfully submit that Otobe is not available as prior art under 35 U.S.C. 102(e) and U.S.C. 103(a).

In a telephone discussion between the Examiner and the Applicants' representative conducted on January 14, 2005, the Examiner indicated that the Examiner and the Examiner's supervisor concur that Otobe is not a proper reference, and the present 35 U.S.C. §102(e) and 35 U.S.C. §103(a) rejections that relied on Otobe as a reference will be withdrawn.

Conclusion

Applicants respectfully submit the rejections should be withdrawn and claims 1-25 allowed.

Conclusion

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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